

CHAPTER 186**(SB 75)**

AN ACT relating to private investigators and declaring an emergency.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. KRS 329A.020 is amended to read as follows:

- (1) The Kentucky Board of Licensure for Private Investigators is hereby created.
- (2) The board shall consist of seven (7) members appointed by the Governor.
 - (a) One (1) member shall be an attorney from the Office of the Attorney General to be designated by the Attorney General;
 - (b) One (1) member shall be a municipal police officer of the rank of captain or above;
 - (c) One (1) member shall be a county sheriff;
 - (d) Three (3) members shall each have been private investigators for at least five (5) years prior to the date of their appointment and shall be of recognized business standing; and
 - (e) One (1) member shall be a citizen at large who is not associated with or financially interested in the practice of private investigating.
- (3) All members shall be residents of this state and possess good moral character.
- (4) The original members of the board shall be appointed by no later than January 1, 2003, as follows:
 - (a) One (1) member to a one (1) year term;
 - (b) Two (2) members to a two (2) year term;
 - (c) Two (2) members to a three (3) year term; and
 - (d) Two (2) members to a four (4) year term.
- (5) After the initial appointments to the board, all members shall serve a two (2) year term.
- (6) Any vacancy occurring on the board shall be filled by the Governor.
- (7) No member may serve more than two (2) full consecutive terms.
- (8) ***No member shall continue to serve if the member no longer meets the qualifications required under subsections (2) and (3) of this section.***
- (9) The three (3) board members who are private investigators and the member at large shall receive the sum of one hundred dollars (\$100) per day for each day the board meets. All members shall receive reimbursement for actual and necessary expenses incurred in the performance of their official duties.
- ~~(10)~~~~(9)~~ The board shall annually elect a chairman, a vice chairman, and a secretary-treasurer from the membership of the board.
- ~~(11)~~~~(10)~~ The board shall hold at least two (2) meetings annually and additional meetings as the board may deem necessary. Additional meetings may be held upon call of the chairman or upon written request of a quorum. Four (4) members of the board shall constitute a quorum to conduct business.

~~(12)~~~~(11)~~ Upon recommendation of the board, the Governor may remove any member of the board for neglect of duty or malfeasance in office.

~~(13)~~~~(12)~~ The board may purchase professional liability insurance for the board members and agents and staff of the board.

Section 2. KRS 329A.025 is amended to read as follows:

- (1) The board shall administer and enforce the provisions of KRS 329A.010 to 329A.090 and shall evaluate the qualifications of applicants for licensure and issue licenses.
- (2) The board shall:
 - (a) Implement the provisions of KRS 329A.010 to 329A.090 through the promulgation of administrative regulations in accordance with the provisions of KRS Chapter 13A;
 - (b) Promulgate administrative regulations to establish fees which shall not exceed the amounts necessary to generate sufficient funds to effectively carry out and enforce the provisions of KRS 329A.010 to 329A.090;
 - (c) Promulgate by administrative regulation an examination to be administered at least twice annually to license applicants. The examination shall be designed to measure knowledge and competence in private investigating, including but not limited to the following subject areas:
 1. Federal and state constitutional principles;
 2. Court decisions related to activities which could result in liability for the invasion of privacy or other activities;
 3. Eavesdropping and related offenses, assault and related offenses, search and seizure laws, and laws regarding unlawful access to a computer;
 4. General weapons use and concealed weapons laws;
 5. Additional state criminal laws and related procedures that are relevant to the practice of private investigating; and
 6. Additional subject areas as determined by the board; and
 - (d) Promulgate by administrative regulation a code of professional practice and conduct that shall be based upon generally recognized principles of professional ethical conduct and be binding upon all licensees.
- (3) The board may:
 - (a) Contract with the Division of Occupations and Professions within the Finance and Administration Cabinet for the provision of administrative services;
 - (b) Employ any persons it deems necessary to carry on the work of the board. The board may define their duties and fix their compensation;
 - (c) Develop or sponsor at least six (6) hours of continuing professional education annually;
 - (d) Approve and certify a forty (40) hour training class covering the subject areas of the licensing examination;
 - (e) Renew licenses and require continuing professional education as a condition for renewal;

- (f) *Waive the examination requirement for any applicant licensed in a reciprocal state as prescribed in subsection (3)(m) of this section, who is licensed in good standing in that state and meets all of the other requirements of Section 3 of this Act;*
- (g) Suspend or revoke licenses, impose supervisory or probationary conditions upon licensees, impose administrative disciplinary fines, or issue written admonishments or reprimands, or any combination thereof;
- ~~(h)(g)~~ Issue subpoenas, examine witnesses, pay appropriate witness fees, administer oaths, and investigate allegations of practices violating the provisions of KRS 329A.010 to 329A.090;
- ~~(i)(h)~~ Conduct hearings pursuant to KRS Chapter 13B and keep records and minutes necessary to carry out the board's functions;
- ~~(j)(i)~~ Organize itself into two (2) panels to separate the functions of inquiry and hearings. Each panel shall have the power to act as either an inquiry or hearing panel. No member serving on the inquiry panel shall serve on the hearing panel for any one (1) particular case. Any final decision of the hearing panel shall be considered as the final decision of the board and the hearing panel may exercise all powers granted to the board pursuant to KRS Chapter 13B;
- ~~(k)(j)~~ Utilize mediation as a technique to resolve disciplinary matters;
- ~~(l)(k)~~ Seek injunctive relief in the Circuit Court of the county where the alleged unlawful practice occurred to stop the unlawful practice of private investigating by unlicensed persons or companies; and
- ~~(m)(l)~~ Negotiate and enter into reciprocal agreements with appropriate officials in other states to permit licensed investigation companies and private investigators who meet or exceed the qualifications established in KRS 329A.010 to 329A.090 to operate across state lines under mutually acceptable terms.

Section 3. KRS 329A.035 is amended to read as follows:

- (1) An application for a private investigator license shall be filed with the board on the prescribed form.
 - (a) The application shall include the following information regarding the applicant:
 1. Full name and address;
 2. Date and place of birth;
 3. Social Security number;
 4. All residences during the past five (5) years;
 5. All employment or occupations engaged in during the past five (5) years;
 6. Three (3) sets of classifiable fingerprints; *and*
 7. ~~Three (3) credit references from lending institutions or business firms with whom the subject has established a credit record; and~~
 8. Any other information as the board may reasonably require by administrative regulation.
 - (b) The application shall be subscribed and sworn to by the applicant.

- (c) ***If the applicant intends to conduct fire or arson investigations, proof of current national certification from the National Association of Fire Investigators or the International Association of Arson Investigators shall be filed with the board in addition to the information required in paragraph (a) of this subsection.***
- (2) An application for an investigating company license shall be filed with the board on the prescribed form.
- (a) The application shall include:
1. The information required in subsection (1)(a) of this section for:
 - a. The owner, if the company is a sole proprietorship;
 - b. Each partner, if the company is a partnership; or
 - c. The qualifying agent, if the company is a corporation;
 2. The name under which the company intends to do business;
 3. The address of the principal place of business and any branch offices of the company within this state; and
 4. Other information as the board may reasonably require by administrative regulation.
- (b) If the company is a corporation, the following information is also required:
1. The correct legal name of the corporation;
 2. The state and date of incorporation;
 3. The date the corporation qualified to do business in this state;
 4. The address of the corporate headquarters, if located outside of this state;
 5. The names of two (2) principal corporate officers other than the qualifying agent, their business addresses, residence addresses, and the office held by each in the corporation; and
 6. The identity and license number of all private investigators employed by or affiliated with the company.
- (c) The application shall be subscribed and sworn to by:
1. The owner, if the applicant is a sole proprietorship;
 2. Each partner, if the applicant is a partnership; or
 3. The qualifying agent, if the applicant is a corporation.
- (3) Each applicant for an individual license or owner, partner, or qualifying agent for a company license shall:
- (a) Be at least twenty-one (21) years of age;
 - (b) Be a citizen of the United States or a resident alien;
 - (c) Have a high school education or its equivalent;
 - (d) Not receive a license until the earlier of:

1. The expiration of ten (10) years from the applicant's release from a sentence imposed by any state or territory of the United States or the federal government for the commission of a felony, including a sentence of confinement or time served on probation, parole, or other form of conditional release or discharge; or
 2. The date the applicant received a restoration of the applicant's civil rights;
- (e) Not have been convicted of a misdemeanor involving moral turpitude or for which dishonesty is a necessary element within the previous five (5) years;
- (f) Not have been dishonorably discharged from any branch of the Armed Forces of the United States;
- (g) Not have had his or her certification as a peace officer revoked in this or another state;
- (h) Not have been declared by any court of competent jurisdiction to be incompetent by reason of mental defect or disease unless a court of competent jurisdiction has since declared the applicant to be competent;
- (i) Not have been voluntarily or involuntarily committed to a facility or outpatient program for the abuse of a controlled substance or been convicted of a misdemeanor violation of KRS Chapter 218A or similar laws of any other state relating to controlled substances within the three (3) year period immediately preceding the date on which the application is submitted;
- (j) Not chronically and habitually use alcoholic beverages as evidenced by:
1. The applicant having two (2) or more convictions for violating KRS 189A.010 within the three (3) year period immediately preceding the date on which the application is submitted; or
 2. The applicant having been committed as an alcoholic pursuant to KRS Chapter 222, or similar laws of any other state, within the three (3) year period immediately preceding the date on which the application is submitted;
- (k) Not chronically and habitually use alcoholic beverages or drugs to the extent that his or her normal faculties are impaired;
- (l) Be of good moral character;
- (m) Pass an examination administered by the board in accordance with KRS 329A.025(2)(c); and
- (n) Submit proof of coverage which meets the following requirements:
1. Is written by an insurance company which is lawfully engaged to provide insurance coverage in Kentucky;
 2. Provides for a combined single-limit policy in the amount of at least two hundred fifty thousand dollars (\$250,000); and
 3. Insures for liability all of the applicant's employees while acting in the course of their employment.

Private investigators who limit their practice exclusively to working under the supervision *and as employees* of an attorney who is licensed to practice law in this state are exempted from the requirement of this paragraph.

- (4) The board shall maintain the confidentiality of information relating to the licensee *or applicant*, except that the board may provide this information to local, state, or federal law enforcement agencies.
- (5) *Upon inquiry by any individual or entity, the board or the board's administrative staff shall provide or confirm the license status of any private investigator or private investigating company.*

Section 4. KRS 329A.040 is amended to read as follows:

- (1) Upon receipt of a license application, accompanied by a nonrefundable, nonproratable fee of not less than one hundred dollars (\$100) and not more than ~~four~~~~five~~ hundred dollars ~~(\$400)~~~~(\$500)~~, as established by the board by promulgation of administrative regulations, the board shall:
 - (a) Conduct an investigation to determine whether the statements made in the application are true; and
 - (b) Submit the application, including fingerprints as appropriate, to the Kentucky State Police and the Administrative Office of the Courts for a state criminal history background check. The Kentucky State Police may submit fingerprints of any applicant to the Federal Bureau of Investigation for a national criminal history background check. The board may by administrative regulation impose additional qualifications to meet the requirements of Pub. L. No. 92-544. The applicant for licensure shall bear the additional cost, in an amount not to exceed the actual cost, incurred for the criminal background check.
- (2) Following the investigation process, the board shall either deny or approve the application.
 - (a) If the application for a license is denied, the board:
 1. Shall notify the applicant in writing and set forth the grounds for denial. If the grounds are subject to correction by the applicant, the notice of denial shall so state and specify a reasonable period of time within which the applicant must make the correction; and
 2. Shall grant a hearing to the denied applicant in accordance with the provisions of KRS Chapter 13B.
 - (b) If the application for a license is approved, the board shall issue:
 1. A license to be posted conspicuously in the licensee's principal place of business; and
 2. A wallet-sized laminated identification card to each individual licensee to be carried while engaged in private investigation. Information on the card shall include the expiration date of the license and the licensee's:
 - a. Name;
 - b. Photograph;
 - c. Physical characteristics; and
 - d. License number.
- (3) A license or identification card issued under subsection (2) of this section is not assignable and is personal to the licensee.

- (4) *For purposes of this section and Section 3 of this Act, any company whose workforce is comprised of no more than one (1) private investigator shall only be required to have an individual private investigator's license. If at anytime the workforce of such a company increases, the company shall notify the board of the workforce increase and shall seek a company license in addition to the individual private investigator's license.*

Section 5. KRS 329A.070 is amended to read as follows:

The provisions of KRS 329A.010 to 329A.090 do not apply to:

- (1) An officer or employee of the United States, this state, another state, or any political subdivision thereof, performing his or her official duties within the course and scope of his or her employment;
- (2) A public accountant, certified public accountant, or the bona fide employee of either, performing duties within the scope of public accountancy;
- (3) A person engaged exclusively in the business of obtaining and furnishing information regarding the financial rating or standing and credit of persons;
- (4) An attorney-at-law, or an attorney's bona fide employee, performing duties within the scope of the practice of law *or authorized agent with duties limited to document and record retrieval or witness interviews*;
- (5) An insurance company, licensed insurance agent, or staff or independent adjuster if authorized to do business in Kentucky, performing investigative duties limited to matters strictly pertaining to an insurance transaction;
- (6) A person engaged in compiling genealogical information, or otherwise tracing lineage or ancestry, by primarily utilizing public records and historical information or databases;
- (7) A private business employee conducting investigations relating to the company entity by which he or she is employed;
- (8) An individual obtaining information or conducting investigations on his or her own behalf; ~~or~~
- (9) An employee of a private investigator or a private investigating firm who works under the direction of the private investigator or the private investigating firm for less than *two hundred forty (240)* ~~three hundred fifty (350)~~ hours per year. *The board shall promulgate administrative regulations to establish a method of verification of the number of hours worked; or*
- (10) *A professional engineer, a professional land surveyor, or a professional engineer's or professional land surveyor's bona fide employee, performing duties within the scope of practice of engineering or land surveying.*

Section 6. KRS 329A.080 is amended to read as follows:

Any person violating KRS 329A.015 shall be guilty of a Class A misdemeanor *for the first offense and a Class D felony for a second or subsequent offense.*

SECTION 7. A NEW SECTION OF KRS CHAPTER 329A IS CREATED TO READ AS FOLLOWS:

- (1) *Any private investigator who conducts fire or arson investigations in the state of Kentucky shall be:*

- (a) *Licensed in accordance with Section 2 of this Act; and*
 - (b) *Certified by the National Association of Fire Investigators or the International Association of Arson Investigators as a fire and explosion investigator.*
- (2) *Upon revocation of his or her certification by either the National Association of Fire Investigators or the International Association of Arson Investigators, a private investigator who conducts fire or arson investigations shall cease the practice of fire or arson investigation.*
- (3) *Fire or arson investigation by a licensee under this chapter shall be prohibited without certification.*

Section 8. KRS 199.570 is amended to read as follows:

- (1) (a) The files and records of the court during adoption proceedings shall not be open to inspection by persons other than parties to the proceedings, their attorneys, and representatives of the cabinet except under order of the court expressly permitting inspection.
- (b) Upon the entry of the final order in the case, the clerk shall place all papers and records in the case in a suitable envelope which shall be sealed and shall not be open for inspection by any person except on written order of the court, except that upon the written consent of the biological parents and upon written order of the Circuit Court all papers and records including all files and records of the Circuit Court during proceedings for termination of parental rights provided in KRS 625.108 shall be open for inspection to any adult adopted person who applies in person or in writing to the Circuit Court as provided in KRS 199.572. ***Health information received pursuant to KRS 199.525 shall be added to the adoption case file. The clerk of the Circuit Court shall set up a separate docket and order book for adoption cases and these files and records shall be kept locked.***
- (c) No person having charge of any adoption records shall disclose the names of any parties appearing in such records or furnish any copy of any such records ***to any person or other entity that does not meet the requirements of Section 9 of this Act,*** except upon order of the court which entered the judgment of adoption. ~~Health information received pursuant to KRS 199.525 shall be added to the adoption case file. The clerk of the Circuit Court shall set up a separate docket and order book for adoption cases and these files and records shall be kept locked.~~
- (2) After entry of the adoption judgment, the clerk of the Circuit Court shall promptly report to the Cabinet for Health Services of Kentucky full information as called for on forms furnished by the Cabinet for Health Services, necessary to make a new birth certificate conforming to the standard birth certificate form. Upon receipt of this information, the Cabinet for Health Services shall cause to be made a new record of the birth and it shall be filed with the original certificate, and the original certificate shall be stamped with the words, "CONFIDENTIAL -- subject to copy and/or inspection only on written order of the court."
- (3) The new certificate shall set forth the new name, if any, of the adopted child, the names of the adoptive parents, and such other information deemed necessary in accordance with rules and regulations promulgated by the Cabinet for Health Services in issuing of birth certificates. If the adopted child is under eighteen (18) years of age, the birth certificate shall not contain any information revealing the child is adopted and shall show the adoptive

parent or parents as the biological parent or parents of the child. If requested by the adoptive parents, the new birth certificate when issued shall contain the location of birth, hospital, and name of doctor or midwife. This information should be given only by an order of the court in which the child was adopted. The new birth certificate shall recite the residence of the adoptive parents as the birthplace of the child and this shall be deemed for all legal purposes to be the birthplace of the child. If no birth certificate is on file for a child born in Kentucky, the Cabinet for Health Services shall prepare a certificate of birth in accordance with the information furnished the cabinet by the clerk of the Circuit Court which issued the adoption order. The Cabinet for Health Services shall furnish to the clerks of the Circuit Courts the necessary forms to carry out the provisions of this section. If the child was born in another state, the order of adoption shall be forwarded to the division of vital statistics of the state concerned to be changed in accordance with the laws of such state. If the child was born in a foreign country, the report of adoption shall be returned to the attorney or agency handling the adoption for submission to the appropriate federal agency.

- (4) Thereafter when any copy of the certificate of birth of any child is issued it shall be a copy of the new certificate of birth, except when an order of the court granting the judgment of adoption shall request the issuance of the copy of the original certificate of the child's birth.
- (5) If any judgment of adoption is reversed, modified, or vacated in any particular, the clerk of the Circuit Court shall notify the Cabinet for Health Services of the reversal or modification and the effect of same, and the cabinet shall make any necessary changes in its records.

Section 9. KRS 199.572 is amended to read as follows:

- (1) At the time the biological parents give up the child for adoption, they shall be asked by the cabinet whether they consent to the inspection of the adoption records, to personal contact by the child, or to both when he becomes an adult. If consent is then given, it can later be revoked. If consent is withheld at that time, the biological parents may give consent at any later time. The initial written statement of consent or refusal of consent to inspection of records and personal contact shall be filed with the Circuit Court not later than the date of finalization of the adoption proceedings. When a written consent is on file, the records shall be available to the adult adopted person, upon his request therefor in writing.
- (2) When any adult adopted person applies in person or in writing to the Circuit Court for authorization to inspect all papers and records pertaining to the adoption proceedings of that adult adopted person as provided in KRS 199.570(1), and the biological parents have previously refused consent to inspection of records and to personal contact, the court may, if satisfied as to the identity of the adult adopted person, authorize the adult adopted person to inspect the papers and records if written consent is obtained from the biological parents identified on the adult adopted person's original birth certificate.
- (3) The Circuit Court shall, within seven (7) working days of the receipt of the request, direct the secretary of the cabinet to notify each biological parent identified on the adult adopted person's original birth certificate that the person has applied to the court for information identifying the biological parent. Within six (6) months of receiving the notice of the request of the adult adopted person, the secretary of the cabinet shall make complete and reasonable efforts to notify each biological parent identified on the adult adopted person's original birth certificate. The secretary may charge a reasonable fee not to exceed two hundred fifty dollars (\$250) to the adult adopted person for making this search. Every child-caring facility and child-placing agency in the Commonwealth shall cooperate with the secretary in his efforts to notify these biological parents.

- (4) *If the cabinet utilizes the services of another person or entity to perform a search under subsection (3) of this section, the cabinet shall enter into a formal contract with that person or entity. A person or entity contracted to perform a search shall be licensed under the provisions of KRS Chapter 329A.*
- (5) The notification of the biological parents shall not be by mail and shall be by personal and confidential contact *by the cabinet*. The notification shall be done without disclosing the identity of the adult adopted person. The personal and confidential contact with the biological parents shall be evidenced by filing with the Circuit Court an affidavit of notification executed by the person who notified each parent and certifying each parent was given the following information:
- (a) The nature of the information requested by the adult adopted person;
 - (b) The date of the request of the adult adopted person;
 - (c) The right of the biological parent to file, within sixty (60) days of receipt of the notice, an affidavit with the Circuit Court stating that the adult adopted person shall be authorized to inspect all papers and records pertaining to his adoption proceedings;
 - (d) The right of the biological parent to file at any time an affidavit authorizing the adult adopted person to inspect all papers and records pertaining to his adoption proceedings; and
 - (e) The right of a biological parent to file an affidavit with the Circuit Court stating that all papers and records pertaining to the adoption proceedings of the adult adopted person shall not be open for inspection by the adult adopted person.
- ~~(6)(5)~~ The adult adopted person shall not be authorized to inspect the papers and records pertaining to his or her adoption proceedings unless those biological parents identified on the original birth certificate agree in writing to that inspection.
- ~~(7)(6)~~ If after diligent and reasonable effort, the secretary of the cabinet certifies that both biological parents identified in the original birth certificate are deceased or the secretary is unable to locate said parents, then a judge of the Circuit Court, upon motion of the adult adopted person, may order that all papers and records of the Cabinet for Families and Children and those of the Circuit Court pertaining to the adoption shall be open for inspection to the adult adopted person. In any case, the court shall order that only identifying information about the biological parents be shared with the adult adopted person.

Section 10. KRS 199.990 is amended to read as follows:

- (1) Any person violating any of the provisions of KRS 199.380 to 199.400 shall be guilty of an offense, and upon conviction thereof, shall be fined not more than five hundred dollars (\$500) or imprisoned for not more than twelve (12) months, or be both fined and imprisoned, in the discretion of the court.
- (2) Any person who violates any of the provisions of KRS 199.430, 199.470, 199.473, 199.570, **199.572**, and 199.590 except subsection (2), or 199.640 to 199.670, or any rule or regulation under such sections the violation of which is made unlawful shall be fined not less than five hundred dollars (\$500) nor more than two thousand dollars (\$2,000) or imprisoned for not more than six (6) months, or both. Each day such violation continues shall constitute a separate offense.

- (3) Any person who willfully violates any other of the provisions of KRS 199.420 to 199.670 or any rule or regulation thereunder, the violation of which is made unlawful under the terms of those sections, and for which no other penalty is prescribed in those sections or in subsection (1) of this section, or in any other applicable statute, shall be fined not less than one hundred dollars (\$100) nor more than two hundred dollars (\$200) or imprisoned for not more than thirty (30) days, or both.
- (4) Any violation of the regulations, standards, or requirements of the cabinet under the provisions of KRS 199.896 that poses an immediate threat to the health, safety, or welfare of any child served by the child-care center shall be subject to a civil penalty of no more than one thousand dollars (\$1,000) for each occurrence. Treble penalties shall be assessed for two (2) or more violations within twelve (12) months. All money collected as a result of civil penalties assessed under the provisions of KRS 199.896 shall be paid into the State Treasury and credited to a special fund for the purpose of the Early Childhood Scholarship Program created in accordance with KRS 164.518. The balance of the fund shall not lapse to the general fund at the end of each biennium.
- (5) A person who commits a violation of the regulations, standards, or requirements of the cabinet under the provisions of KRS 199.896 shall be fined not less than one thousand dollars (\$1,000) or imprisoned for not more than twelve (12) months, or be fined and imprisoned, at the discretion of the court.
- (6) Any person who violates any of the provisions of KRS 199.590(2) shall be guilty of a Class D felony.

Section 11. (1) Notwithstanding KRS 7.123 to the contrary, any private investigating firm that has had its headquarters in the Commonwealth of Kentucky for at least two (2) years prior to July 15, 2002, shall receive a license issued under KRS Chapter 329A automatically upon filing the appropriate application and paying the appropriate fee to the board within sixty (60) days after the effective date of this Act.

(2) Notwithstanding KRS 7.123 to the contrary, any person actively engaged in full-time or part-time investigator work in this state as a private investigator or as an investigator for a law enforcement agency for a continuous period of at least two (2) years prior to July 15, 2002, shall receive a license as a private investigator issued under KRS Chapter 329A automatically upon:

- (a) Filing an application with the board within sixty (60) days after the effective date of this Act, including supporting documentation; and
- (b) Paying the licensure fee.

Section 12. Any person licensed in accordance with Section 2 of this Act shall have his or her renewal fee under KRS 329A.045 decreased in an amount that reflects the difference between the initial fee paid to the board and the fee established in Section 4 of this Act, if the initial fee paid by the licensee was in excess of the fee established in Section 4 of this Act. This decrease in the renewal fee shall be limited to the first renewal of such a licensee made after the effective date of this Act.

Section 13. Whereas it is necessary for the board to begin operating under these provisions as soon as possible in order to effectively regulate the private investigator industry, an emergency is declared to exist, and Sections 1 to 7, 11, and 12 of this Act take effect upon its passage and approval by the Governor or upon its otherwise becoming a law.

Approved April 22, 2004